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REMARKS

Claims 1, 4-9, 18, 21-25, and 27-39 are pending. Claims 2, 3, 10-17, 19, 20, and 26 are canceled without prejudice. Claims 28-39 are new.

1. At page 2, paragraph 2 of the Office Action, claims 1, 4, 8, 9, 18, 21, 25, and 27 were rejected under 35 U.S.C. § 102(e) over U.S. Pat. No. 6,161,095 ("Brown"). Applicants respectfully traverse this rejection.

The present claim 1 is directed to a system to implement at least one medical diagnostic or treatment algorithm in a healthcare workflow. The system includes storage, a user interface, and a disease management engine. The storage includes at least one medical diagnostic or treatment algorithm and at least one patient medical record. The user interface is operable to display an interface associated with the healthcare workflow. The healthcare workflow includes a set of interfaces for the healthcare provider to enter patient medical data into the at least one patient medical record during a patient encounter. The disease management engine is operable to modify the healthcare workflow in accordance with the at least one medical diagnostic or treatment algorithm based on the patient medical data.

The present claim 18 is directed to a method for selectively modifying a healthcare workflow. The method includes storing at least one medical diagnostic or treatment algorithm, collecting medical information from a healthcare provider during a patient encounter via an interface, automatically selecting the at least one medical diagnostic or treatment algorithm based on the medical information, and selectively modifying the interface displayed to the healthcare provider based on the at least one medical diagnostic or treatment algorithm. The present claim 27 is directed to subject matter similar to the subject matter of claim 18.

Brown discloses a method and system for interaction with a community of individuals, relating to compliance with a treatment regimen. Individuals interact with a protocol or intelligent message to provide assistance in aspects of treatment regimen compliance, data collection, supply, review, and modification. (Brown, Abstract). In particular, Brown discloses a client device located locally to a patient that couples to a portable device capable of being carried away by the patient. The portable device has the capability of reminding the patient

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regarding the treatment regimen. (Brown, Col. 3, ll. 18-26). Brown fails to disclose a healthcare workflow that includes a set of interfaces for a healthcare provider to enter patient medical data during a patient visit and, in particular fails to disclose modifying such a healthcare workflow in accordance with a medical diagnostic or treatment algorithm.

With respect to claim 1, Brown fails to disclose a healthcare workflow including a set of interfaces for the healthcare provider to enter patient medical data during a patient encounter. Further, Brown fails to teach a disease management engine operable to modify the healthcare workflow, which includes the set of interfaces for the healthcare provider to enter patient medical data during the patient encounter, in accordance with the at least one medical diagnostic or treatment algorithm based on a patient medical record.

With respect to claim 18, Brown fails to disclose collecting medical information from a healthcare provider during a patient encounter via an interface provided at an interactive device, fails to disclose automatically selecting the at least one medical diagnostic or treatment algorithm based on the medical information, and fails to disclose selectively modifying the interface displayed to the healthcare provider via the interactive device based on the at least one medical diagnostic or treatment algorithm. In particular, Brown fails to disclose selectively modifying the interface displayed to the healthcare provide during a patient encounter based on the at least one medical diagnostic or treatment algorithm.

For at least the foregoing reasons, independent claims 1, 18, and 27 and claims depending from such independent claims are allowable over Brown. As such, Applicants respectfully request withdrawal of the 35 U.S.C. 102(e) rejection of claims 1, 4, 8, 9, 18, 21, 25, and 27.

2. At page 3, paragraph 13 of the Office Action, claims 5-6, and 22-23 were rejected under 35 U.S.C. § 103(a) over Brown in view of U.S Pat. No. 6,206,829 ("Iliff"). Applicants respectfully traverse this rejection.

Iliff discloses a system and method for providing computerized, knowledge-based medical diagnostic and treatment advice. The medical advice is provided to the general public over networks, such as a telephone network or a computer network. (Iliff, Abstract). Iliff fails to

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overcome the deficiencies of Brown described above with respect to claims 1 and 18 from which claims 5-6 and 22-23 depend.

For at least the foregoing reasons, claims 5-6 and 22-23 are allowable over Brown in view of Hiff. As such, Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection for claims 5-6 and 22-23.

3. At page 4, paragraph 17 of the Office Action, claims 7 and 24 were rejected under 35 U.S.C. § 103(a) over Brown in view of U.S. Pat. No. 6,839,678 ("Schmidt"). Applicants respectfully traverse this rejection.

Schmidt discloses that, in a system for conducting medical studies, a number of medical locations, such as clinics or medical practices, are connected to a central server via a computer network. (Schmidt, Abstract). Schmidt fails to overcome the deficiencies of Brown described above in relation to claims 1 and 18 from which claims 7 and 24.

For at least the foregoing reasons, claims 7 and 24 are allowable over Brown in view of Schmidt. As such, Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejections for claims 7 and 24.

4. At page 5, paragraph 20 of the Office Action, claim 26 was rejected under 35 U.S.C. § 103(a) over Brown in view of U.S. Pat. No. 6,454,708 ("Ferguson"). Claim 26 was canceled, rendering the rejection moot.

5. With respect to newly added claims 28-39, the cited references fail to teach or suggest elements of the claims.

Applicants respectfully submit that the present application is now in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

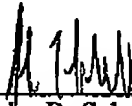
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Should the Examiner deem that any further action by the Applicants would be desirable for placing this application in even better condition for issue, the Examiner is requested to contact Applicants' undersigned agent at the number listed below.

Applicants do not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

3.15.06
Date



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